

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROBERT F. STEARNES-TAYLOR,**

**Plaintiff / Petitioner,**

**v.**

**Civil Action 2:11-cv-218  
Judge Edmund A. Sargus, Jr.  
Magistrate Judge E.A. Preston Deavers**

**THE STATE OF OHIO,**

**Defendant / Respondent.**

**ORDER**

This matter is before the Court for consideration of the August 31, 2011 Report and Recommendation of the United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). (ECF No. 20.) The Magistrate Judge recommended that the Court dismiss this action because there is no basis for awarding Mr. Stearnes-Taylor the relief he requests.

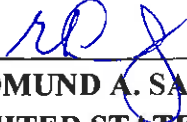
The Report and Recommendation specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to de novo review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation 3, ECF No. 20.) The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report

and Recommendation. Accordingly, this action is **DISMISSED** for failure to state a claim upon which relief can be granted, and because Plaintiff is not entitled to the relief he requests.

**IT IS SO ORDERED.**

10-7-2011  
**DATE**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**